

Town of Poestenkill  
Town Board Meeting  
7 PM - Town Hall  
February 8, 2024  
AGENDA

**Voting Members**

Tom Russell, Town Supervisor  
June Butler, Deputy Supervisor  
David Hass, Councilman  
Frank Burzesi, Councilman  
Eric Wohlleber, Councilman

**Non-Voting Members**

Susan Horton, Town Clerk  
Andy Gilchrist, Town Attorney

Pledge of Allegiance

Audit Committee - Report of the Committee

I. Public Comment Period

The public is invited to make brief comments and/or request information regarding matters of concern to the Town and its residents at the Podium in the front of the room. Speakers should clearly identify themselves and at their option provide their home address. Comments should be directed to the Board and cross discussion with other members of the audience is only permitted at the recognition of the Board. A request can be made to speak on an item that is on the agenda when the item comes up for discussion/consideration by the Board. Your cooperation and courtesy is most appreciated.

II. Town Clerk Minutes

- a. January 4, 2024 - Organizational Meeting
- b. January 11, 2024 - Town Board Meeting
- c. January 25, 2024 - Workshop Meeting
- d. 2023 Revenues & Disbursements from Town Clerk

III. Correspondence –

Letter from Checkwise Payroll on their merger

Waste Management – holding Bulk Item Day @ Transfer Station – Saturday Feb. 24,  
2024 from 8 AM to 12PM - Cost of \$30.00 per item

IV. Liaison Reports

- a. Planning Board
- b. Zoning Board
- c. Fire Company

- d. Library
- e. Youth Advisory
- f. Conservation Advisory Committee

V. Discussion Items

- a. Revising Current Density Law with Planning Board Recommendations – Board discussions
- b. Shuhart's - Continue review of Planned Development District application
- c. Veterans Memorial Monument Restoration Update
- d. Update on Poestenkill - Sand Lake Summer Youth Camp

VI. Action Items

- a. Resolution – Thank Harold Van Slyke for service to Town of Poestenkill
- b. Resolution - Thank Keith Hammond for service to Town of Poestenkill
- c. Introduction of Local Law # 1 , 2024 amending Section 220 – 26D of current Water Code to allow for sending “Estimated Readings” under emergency situations as needed per Town Board approval. Public Hearing to be scheduled.
- d. Introduction of Local Law # 2 , 2024 providing for the Defense and Indemnification of Poestenkill Town Employees and Officers. Public Hearing to be scheduled.
- e. Resolution - Approving purchase of Utility Trailer for Highway Dept. usage from Source Well State Contract through Monroe Tractor at 423 Old Loudon Rd., Latham, NY.

VII. Reports

- a. Supervisor's Report
- b. Town Attorney's Report
- c. Town Clerk's Report
- d. Assessor's Report
- e. Water Manager Report
- f. Building Inspector's Report
- g. Dog Control Report
- h. Highway Superintendent Report

VIII. Payment of Bills

- a. General
- b. Highway
- c. Water

- IX. Public Comment Period
- X. Attorney Private Session
- XI. Executive Session
- XII. Adjournment

ORGANIZATIONAL MINUTES  
TOWN OF POESTENKILL  
JANUARY 4, 2024  
(Not approved at time of distribution)

VOTING MEMBERS:

Tom Russell, Supervisor	Present
June Butler, Deputy Supervisor	Present
Frank Burzesi, Councilman	Present
David Hass, Councilman	Present
Eric Wohlleber, Councilman	Present

NON-VOTING MEMBERS:

Susan Horton, Town Clerk

Supervisor Russell opened the meeting at 7 p.m. with the Pledge of Allegiance and immediately opened the floor for public comment. There were no public comments from the audience. Supervisor Russell made a statement to the Board members and audience members. He stated, it is a distinct honor to be serving the people as Supervisor. He stated he is deeply honored and will do his best to serve the Town of Poestenkill. There being no other comments, the public comment period was closed.

**Organization Appointments & Designations**

Supervisor Russell stated on the recommendation of our Town Attorney, A. Gilchrist, that because the appointments are listed in the Town budget with salaries, there is no need to go line by line and appoint individuals. Therefore, we will vote on the names that are listed. Motion by Councilman Hass, seconded by Councilwoman Butler and carried to approve the Organizational Appointments and Designations for the Town of Poestenkill for 2024.

Councilwoman Butler reiterated that on the advice of A. Gilchrist, Town Attorney, there was no need to list all the information for each appointment. The list of appointments will be attached to tonight's minutes of this meeting.

**DISCUSSION ITEMS**

Replacement of Dog Chip Reader for Bob Guyer - Supervisor Russell stated that a chip reader was needed to replace the one that was lost in a fire at Mr. Guyer's home on Christmas morning. Board members had a copy of the previous chip reader in their packets. Motion by Councilman Wohlleber, seconded by Councilman Burzesi and carried to approve a chip reader, not to exceed \$375. Documentation was provided to all Board members in their packets.

L. King, Town resident asked Supervisor Russell if there was still going to be a Town Park Development Plan. Councilwoman Butler stated that she and Supervisor Russell will be meeting with the Park committee in the near future and updates will be available. L. King asked if the workshops would continue. Councilwoman Butler replied that they will continue for the upcoming future as the Board will be working on Schedule of Fees and updating the Town Code. Supervisor Russell stated that the future Workshop meetings will be scheduled for 7 p.m.

**EXECUTIVE SESSION**

Motion by Councilman Hass, seconded by Councilwoman Butler and carried to enter into Executive Session at 7:15 p.m. to discuss a personnel issue with no votes taken. Motion by Councilman Hass, seconded by Councilman Wohleber to exit Executive Session at 8:10 p.m. and resume the regular scheduled meeting.

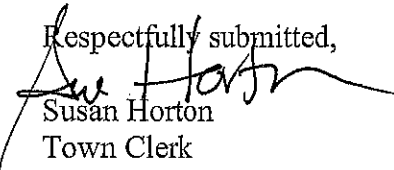
Planning Board Alternate – Motion by Supervisor Russell, seconded by Councilman Burzesi and an oral vote of 4 ayes and 1 nay to approve Brandon Harris as Alternate to the Planning Board, term to expire 12/31/2024.

Planning Board Chairman - Motion by Supervisor Russell, seconded by Councilman Wohleber and carried to appoint Rob Bentz, as Chairperson of the Planning Board, term to expire 12/31/2024.

CAC Appointments – Motion by Councilman Hass, seconded by Councilman Burzesi and carried to appoint Gregory Pattenaude and Donald Sweezy as members to the Conservation Advisory Council, term to expire 12/31/2025.

Motion by Supervisor Russell, seconded by Councilwoman Butler and carried to adjourn tonight's meeting at 8:30 p.m.

Respectfully submitted,

  
Susan Horton  
Town Clerk

TOWN BOARD MINUTES  
TOWN OF POESTENKILL  
TOWN BOARD MEETING  
January 11, 2024  
(Not approved at time of distribution)

ROLL CALL AS FOLLOWS

Councilwoman Butler	Present
Councilman Hass	Present
Councilman Burzesi	Present
Councilman Wohlleber	Present
Supervisor Russell	Present

NON-VOTING MEMBERS

Andrew Gilchrist, Attorney

Supervisor Russell opened the meeting with the Pledge of Allegiance and the floor was opened for public comment at 7 p.m. G. Patenaude, town resident addressed the Town Board regarding Water District #2. He wanted to confirm that public comment was still open due to change of administration. Supervisor Russell agreed that it was still open for public Comment. L. King, town resident addressed the town board and Poestenkill residents on the opportunity to volunteer their knowledge/skills during a Repair café held on May 18<sup>th</sup> operated by the Sky High Adventure Community Center. These repairs would be free of charge for item such as jewelry, toys, lawn & gardening, furniture repair, etc.. C. Sergeant, town resident, addressed the Town Board regarding 243 Vosburg Rd. C. Sergeant recited a letter that was sent to the town due to plowing activities on January 7, 2024. L. Basle requested to reserve time for discussion item. S. Kalafut questioned the Town Board about the Ethics Committee Chairperson for 2024. Supervisor Russell explained there isn't a chairperson at this time, but the Ethics Committee will come together and choose a chairperson. A. Gilchrist noted per review of the code, the Town Attorney should be removed from the list of members and would only provide council to the board members.

**TOWN CLERK MINUTES**

Motion by Hass, seconded by Butler and an oral vote of 3 ayes (Burzesi and Russell abstaining) to accept the Town Clerk's minutes of December 28, 2023, as written. Motion by Hass, seconded by Butler and an oral vote of 5 ayes to accept the Town Clerk's minutes of January 4, 2024, as amended to reflect the change of 5 ayes accepting B. Harris as the alternate on the Planning Board.

A. Gilchrist stated he couldn't attend the Organizational Meeting, and questioned if the if the chart of appointments identifying the salaries of each employee was listed. The Town law requires the Town Board "from time to time to establish the salaries of the town officers and employees. At some point the salaries of the town officers and employees should be listed.

**LIAISON REPORTS**

Planning Board – D. Heckelman reported on (1) item for January meeting pertaining to an application for event space. The planning board received desired answers from the applicant, but subsequent meetings are needed for ongoing conversation. Heckelman stated Robert Bentz has been appointed Chairperson and Brandon Harris as Alternate.

Zoning Board – N. Heckelman stated the Zoning Board had an organizational meeting in December and put forth Tim Hoffay as Chairperson, and recommended the need for 1 full time person and alternate. Meetings are now going to be 3<sup>rd</sup> Thursday of month due to work conflict with a member.

Fire Company – D. McIntyre stated he was newly elected as of January 2024. For the month of December, the Fire Company had 30 calls. D. McIntyre stated for 2023 the Fire Company received a total of 395 calls. He thanked Supervisor Russell for support on December 25<sup>th</sup>, 2023 fire. D. McIntyre reminded the public to use caution when using their own home generators to prevent carbon monoxide entering the home.

Library – Kathy Place stated last month they had a total of 774 visits and had the second annual library lighting and listed the upcoming events for January and February.

Youth Advisory- Supervisor Russell stated that Kara Horton is the new Youth Advisory representative. Poestenkill and Sand Lake are still discussing the location of the Summer Camp.

CAC – Supervisor Russell stated that we are in the process of restaffing the CAC. The hope is to proceed with the Comprehensive plan this year.

### DISCUSSION ITEMS

Revising Current Density Law with Planning Board Recommendations- Supervisor Russell explained that this is the initial discussion and A. Gilchrist supplied the town with a draft of what the Town of Brunswick had proposed. The Planning Board had reviewed the proposal and made written recommendations.

Discuss Local Law to provide Defense and Indemnification of Town Officers and Employees- Supervisor Russell put forth a draft model for 2024, due to the absence of this protection in our current code. Supervisor Russell summarized his edits to the draft. J. Butler stated that the towns insurance is renewing in April, and the insurance company recommended having this law in place before the renewal date. More discussions will be held at the February meeting. A. Gilchrist discussed the steps necessary to stay on the timeline to amend the code for this change.

### ACTION ITEMS

Change Town Board Workshop Meeting start time - RESOLUTION #1-- RESOLUTION DESIGNATING TIME OF REGULAR WORKSHOP MEETINGS OF THE POESTENKILL TOWN BOARD. The Town Board of the Town of Poestenkill hereby designates that its workshop meetings scheduled for the fourth Thursday of each month shall start at 7 p.m., unless such time is changed for any particular workshop meeting through a notice to be posted on the Town sign board and Town website.

MOVED BY: Councilwoman Butler

SECONDED BY: Councilman Hass

### VOTED UPON AS FOLLOWS:

Councilwoman Butler	YES
Councilman Hass	YES
Councilman Burzesi	YES
Councilman Wohlleber	YES

Supervisor Russell                    YES

Confirm official Poestenkill Holiday Schedule – RESOLUTION #2—RESOLUTION DESIGNATING OFFICIAL HOLIDAYS OF THE TOWN OF POESTENKILL FOR 2024. The Town Board seeks to designate the official holidays observed by the Town of Poestenkill for 2024.

MOVED BY:                    Councilman Wohlleber

SECONDED BY:                Councilwoman Butler

**VOTED UPON AS FOLLOWS:**

Councilwoman Butler	YES
Councilman Hass	YES
Councilman Burzesi	YES
Councilman Wohlleber	YES
Supervisor Russell	YES

Revision of Water Code to allow sending “Estimate Readings” Under emergency situations as needed- L.Basle had questions regarding what the town code currently stated. Supervisor Russell explained the Water Department is experiencing difficulties with the current software package and antennas. The replacements for antennas and the software package is expected to arrive mid February. A. Gilchrist instructed the town board on the steps to make this change to the Town code.

Comprehensive Plan- La Berge Group created a proposal for the comprehensive plan workshops, and resident information exchanges, and memorandum of understanding. A.Gilchrist instructed the board on the actions needed on order to review and authorize the memorandum of understanding. Motioned by Wohlleber, seconded by Russell, and an oral vote of 5 ayes.

**REPORTS**

Supervisor’s Report – Supervisor Russell expressed his appreciation for the opportunity as Town Supervisor. He thanked everyone for working with him to get settled in his new role. He explained the high-level events in the Youth department, Bookkeeping, and that the senior citizen and fire contracts have been completed.

Town Attorney’s Report - A. Gilchrist, Town Attorney reported that aside from routine matters, he had conversations with the new supervisor on transitional issues and will be researching further.

Town Clerk’s Report – Motion by Wohlleber, seconded by Butler and an oral vote of 5 ayes to accept the Town Clerk’s report of December 2023. The total amount received in the Clerk’s office was \$11,624.57 and of that amount \$10,940.57 was remitted to the Supervisor. Town Board members had copies of the Building Inspector/Code Enforcement Officer’s written report. There were also reports from the Assessor, 811, Water, and the Highway Department. Supervisor Russell reiterated on the Assessor’s report that the Tax Assessment roll for 2024 Exemption filing deadline March 1,2024 for all exemptions.

Highway Superintendent, DJ Goyer reported that with the increase in storms recently, to please call the Town of Poestenkill Garage for tree debris that requires chipping.

**BUDGET TRANSFER**



Motioned by Hass, seconded by Burzesi, and an oral vote of 5 ayes to approve Transfer \$17,330.95 from Account # A1990 General Fund Contingency to Account #25112 Highway Permanent Improvements

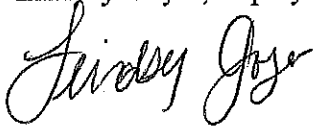
**PAYMENT OF BILLS**

Motion by Hass, seconded by Russell and an oral vote of 5 ayes to pay Warrant #1-2024 in the amount of \$31,515.44. Motion by Hass, seconded by Butler and an oral vote of 5 ayes to pay Warrant #2-2024 in the amount of \$99554.75.

Motion by Supervisor Russell, seconded by Councilman Burzesi and carried to enter into Executive Session at 8:07 p.m. to discuss a legal issue. There were no votes taken in Executive Session. Motion by Councilman Hass and seconded by Councilman Wohlleber to exit Executive Session at 8:48 p.m. and immediately adjourn this meeting.

Respectfully submitted,

Lindsey Goyer, Deputy Town Clerk

A handwritten signature in cursive script, appearing to read "Lindsey Goyer".

Town of Poestenkill  
Town Board Workshop Meeting  
7 PM - Town Hall  
January 25, 2024

**Voting Members**

Tom Russell, Town Supervisor  
June Butler, Deputy Supervisor  
Frank Burzesi, Councilman  
David Hass, Councilman  
Eric Wohlleber, Councilman

**Non-Voting Members**


Susan Horton, Town Clerk  
Andy Gilchrist, Town Attorney

**Pledge of Allegiance**

**Audit Committee - Report of the Committee**

- I. No Public Comment Period during Workshop Session
- II. Discussion Items:
  - Fane Trucking is respectfully requesting we amend our current Local Law limiting Fane's permitted inventory extraction time from the Perry Property that Fane is currently leasing by a maximum extension of three years. Current Law expires end of May 2024. ( Property is already classified as Natural Products from previous Board review & action).
  - a. Amend Local Law on Land Use Code using suggestions from Planning Board
  - b. Amend current Water Code to allow for water usage reading estimates to be sent out in emergency situations when the Town is unable to read the Resident's meter
  - c. Sidewalk Snow clearance situation
  - d. Local Law providing for the Defense and Indemnification of Officers and Employees of the Town of Poestenkill
- III. Payment of Bills
  - a. General/Highway
  - b. Water
- IV. Executive Session
- V. Adjournment

TO: TOWN BOARD MEMBERS/SUPERVISOR RUSSELL

 FROM: Susan Horton, Town Clerk

RE: 2023 REVENUES AND DISBURSEMENTS IN THE  
CLERK'S OFFICE

DATE: January 16, 2024

**TOTAL REVENUE FOR 2023** **\$174,827.19**

**DISBURSEMENTS:**

**SUPERVISOR** **23,496.30**

**Water Monies for 2023 remitted  
To Supervisor Hammond** **137,332.97**

**Total remitted to Supervisor including  
Water monies** **162,829.27**

**NYS DEPT. OF ENCON** **13,170.42**

**NYS Comptroller for Bell Jar Licenses** **30.00**

**NYS Health Department for share of  
Marriage Licenses** **427.50**

**NYS Department of Ag. & Markets  
for Spaying/Neutering Program** **370.00**

**TOTAL DISBURSEMENTS:** **\$174,827.19**



February 1, 2024

To Our Valued Clients:

It is with great pleasure that we announce the merger of CheckWise Payroll with ConnectPay. This merger will allow us to continue providing superior payroll services at the same costs with combined resources to meet the growing challenges of the payroll industry.

Since the inception of CheckWise Payroll, it has been our mission to service our clients with a complete, professional, and accurate payroll solution. Our personal approach, combined with integrity and reliability has been a cornerstone to earning your loyalty while providing a valuable service. Our responsibility to continually be your trusted payroll advisor is a commitment we hold in high regard.

The decision to look for a partner that would share the values we hold so dear was made with consideration to many factors. The most important being the continued approach to the service, quality, and overall philosophy of our business. This led us directly to ConnectPay. Founded in 2008, ConnectPay and its founders, Paul Altavena and Michael Young, have been in the payroll industry since the late 1970's. Both grew up in Upstate New York and have close connections in this region. Their knowledge and experience, along with their dedication to advancing technology and excellent staff, are a testament to the quality organization that they have built.

ConnectPay and CheckWise share the same values, which gives us the utmost confidence that you will benefit from this association. Over the next several months, we will introduce the ConnectPay brand, as well as their payroll platform, which includes many enhanced features from which you and your employees will benefit.

The CheckWise Payroll team will continue to be your single point of contact and we remain committed to being your local service provider. We look forward to continuing our mission in simplifying the task of payroll with the combined strength of CheckWise Payroll and ConnectPay.

Thank you for your continued support.

Sincerely,

A handwritten signature in black ink, appearing to read "Bryan Geary", with a horizontal line underneath.

Bryan Geary  
President

**CheckWise Payroll LLC**  
**1 Winners Circle, Suite 201, Albany, NY 12205**  
**(518) 435-0570**

# **POESTENKILL BULK ITEM DAY**

## **WHEN**

**February 24, 2024**

**8am – 12pm**

## **WHERE**

**Waste Management  
Transfer Station**

**9002 NY-66, Averill Park, NY, 12018**

## **ACCEPTED BULK ITEMS**

**Matresses**

**Couches**

**Furniture**

**Sofa Chairs**

## **ACCEPTED WHITE GOODS**

**Washers**

**Dryers**

**Microwaves**

**Refrigerators**

**Freezers**

**Air Conditioners**

## **COST**

**\$30/item**



## TOWN OF POESTENKILL

38 Davis Drive / P.O. Box 210  
Poestenkill, NY 12150

### PLANNING BOARD

**Planning Board Minutes  
January 9, 2024 @ 7:00 PM  
Poestenkill Town Hall  
(DRAFT)**

**Attendees:**

Rob Bentz, Chairperson  
Harvey Teal  
Don Heckelman  
Jeff Briggs  
Brandon Harris  
Vicki Spring  
Laura Burzesi

**Non-Voting:**

Lawrence Howard, ESQ  
Stephanie Volkmann, Clerk

**Absent:**

Steve Valente

7:00 PM – Pledge of Allegiance

**Minutes:**

Meeting minutes from December 5, 2023 were reviewed. A motion to approve the minutes was made by Member Spring and seconded by Member Teal with a vote of (4) yays, (0) nays and (2) abstentions. (Chairperson Bentz and Member Harris) Member Burzesi was late to the meeting.

**Applicant:**

**Orsini:**

Mark Wagner, ESQ. attended the meeting to represent the Orsini's for a Special Use Permit application for a venue using 2 acres of their 51 acres. The application is for the Orsini's to host special occasions and

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- Proposed signage is showing on the new site plan at the entrance off Blue Factory. The board suggested having a lighted sign.

Fire Company members made a site visit to the Orsini's and met with Nancie Orsini, her husband and son to address the fire company's concerns. The fire company brought a smaller truck up to be sure they could make the turn at the entrance off Blue Factory Road and navigate the driveway. Assistant Chief, David Basle submitted a letter to the Planning Board with the information that he felt was a concern and had talked to the Orsini's about. (see below)

The Poestenkill Fire Co. met with Nancie Orsini on December 17, 2023.

We discussed and agreed on the following.

- 1-To widen the roadway from 20 feet to 24 feet.
- 2- The corner from blue factory to the driveway is wide enough for fire apparatus.
- 3- The bridge will be blocked off, so no venue traffic can use it.
- 4-They are going to enlarge the parking lot so we have enough room to get around cars with the fire apparatus.
- 5-There is access to the creek for a water supply if the Fire Co. should need it.
- 6-There will be a service road from the parking lot to the tent, site for fire apparatus and vendor traffic.

The roadway needs to be changed from 20 feet wide to 24 feet wide on the site map.

David Basle submitted the radius needed at the entrance for the larger fire truck to Nancie Orsini and Mr. Wagner provided the Planning Board with a map showing that there would be no issues making the turn in to the entrance of the venue off Blue Factory Road.

At the December 2023, meeting Councilwoman Butler inquired about how the 5 feet berm along the creek was built. David Basle addressed this with the Orsini's, and it was from a previous storm when they were able to dredge the creek.

Member Briggs referenced that over 1 acre of property being disturbed would need a SWPPP. With the extra access road and the other property being disturbed for the venue it will be over the 1 acre. Therefore, Orsini's will need to apply for a SWPPP.

The maximum number of guests to be able to attend an event was changed from 150 to 100.

Event staff with park at the Orsini's residence and the vendors will park at the event area or staging area.

Mr. Wagner supplied a few pictures of what the bathrooms will potentially look like.

Board Member Spring asked if there would be handicap parking spots. This needs to be addressed with Tracy Church, Code Enforcer to see if they are required. Member Burzesi asked if there will be signs for "No Parking" for emergency zone.

Mr. Wagner will revise the site plan and return for the February meeting.

A public hearing cannot be scheduled until Orsini's submit a final approved site plan.

**Other:**

Member Briggs mentioned the Comprehensive Plan. Supervisor Russell stated the plan will be brought up for discussion at the January 2024 Town Board meeting.



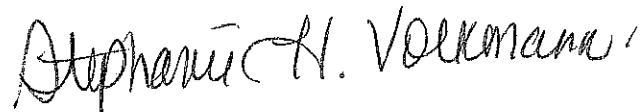
7:42 PM A motion was made by Member Heckelman and seconded by Member Burzesi to go into executive session for a personnel matter with a vote of (7) yays, (0) nays and (0) abstentions.

7:50 PM A motion to exit out of executive session was made by Member Heckelman and seconded by Member Burzesi with a vote of (7) yays, (0) nays and (0) abstentions.

No action was taken before or after executive session.

7:55 PM A motion was made to adjourn the meeting by Member Spring and seconded by Member Burzesi with a vote of (7) yays, (0) nays and (0) abstentions.

Respectfully Submitted,

A handwritten signature in black ink that reads "Stephanie H. Volkmann". The signature is written in a cursive style with a large initial 'S'.

Stephanie H. Volkmann  
Planning and Zoning Clerk



## TOWN OF POESTENKILL

38 Davis Drive / P.O. Box 210  
Poestenkill, NY 12150

### PLANNING BOARD

### Planning Board Agenda February 6, 2024 @ 7:00 PM Poestenkill Town Hall

#### 7:00 PM – Pledge of Allegiance

#### Minutes:

Meeting minutes from the January 9, 2024 meeting

#### Applicant:

#### Orsini:

Nancie Orsini submitted an application for a Special Use Permit to host special occasions and gatherings for a fee on 2 acres of her 51 acre parcel at 282 Blue Factory Road.

#### Scott Polaro:

Scott Polaro has submitted a Lot Line Adjustment application. His residence at No. 541 NY 351 is under the name of 351, LLC with an area of 4.13+/- acres. He would like to reduce the parcel size to 1.56 +/- acres and merge 2.57 acres with his adjacent property Route 351 Properties, LLC. This will increase this property from 78.42 +/- acres to 81.02 +/-.

#### Discussion:

#### Other:

Vicki Spring  
Jeff Briggs  
Harvey Teal

to attend February meetings  
to attend March meetings  
to attend April meetings

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## TOWN OF POESTENKILL

38 Davis Drive / P.O. Box 210  
Poestenkill, NY 12140  
(518) 283-5100 Phone  
(518) 283-7550 Fax

Zoning Board of Appeals

### ZONING BOARD

Thursday, January 18, 2024  
@ 7:00 PM Poestenkill Town Hall  
(DRAFT)

#### Attendees:

Tim Hoffay, Chairperson  
Paul Jamison  
Nicole Heckelman  
Abigail Kronau, Alternate

#### Non-Voting:

Lawrence Howard, ESQ  
Stephanie Volkmann, Clerk

#### Absent:

Donna Kamkar  
Kevin McGrath

7:00 PM – Pledge of Allegiance

7:01 PM a motion to approve seating Alternate, Member Kronau at the table in absence of Member Kamkar for the meeting was made by Chairperson Hoffay and seconded by Member Jamison with a vote of (3) yays, (0) nays and (0) abstentions.

#### Minutes:

Meeting minutes of December 21, 2023 were reviewed. Motion to approve the minutes with a change was made by Member Jamison and seconded by Chairperson Hoffay with a vote of (3) yays, (0) nays and (0) abstentions.

#### Discussion:

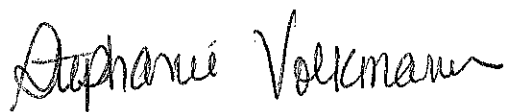
Chairperson Hoffay announced that Member Jamison is going to continue the Vice Chairperson position.

Member Jamison made motion and Chairperson Hoffay seconded to nominate Member Heckelman to be secretary with a vote of (4) yays, (0) nays and (0) abstentions.

Board made changes to the information list that Clerk, Stephanie Volkmann, submitted for review.

7:16 PM a motion was made to adjourn the meeting by Chairperson Hoffay and seconded by Member Heckelman with a vote of (4) yays, (0) nays and (0) abstentions.

Respectfully submitted,

A handwritten signature in cursive script that reads "Stephanie Volkmann".

Stephanie Volkmann  
Planning and Zoning Clerk

# Poestenkill Fire Company

## Custom Summary Report

### January 2024

	Jan 24
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
Reimbursement	489.53
<b>Total Income</b>	489.53
<b>Gross Profit</b>	489.53
<b>Expense</b>	
<b>Building Fuel (heating)</b>	
East Poestenkill (propane)	463.40
Main Station (Propanel)	2,178.86
<b>Total Building Fuel (heating)</b>	2,642.26
<b>Building Maintance</b>	
Cleaning Supplies	266.19
Main Station	174.95
Refuse	101.73
<b>Total Building Maintance</b>	542.87
<b>Electric</b>	
East Poestenkill	22.70
Main Station	21.02
<b>Total Electric</b>	43.72
<b>Equipment</b>	
New Equipment	1,794.58
Repair & Maintance	1,431.33
Equipment - Other	703.33
<b>Total Equipment</b>	3,929.24
<b>Fire Trucks</b>	
Fuel	1,000.03
Repair & Maintance	1,123.08
<b>Total Fire Trucks</b>	2,123.11
<b>Firemens Christmas Party</b>	0.00

<b>Insurance</b>	
<b>Workman's Compensation</b>	10,755.95
<b>Insurance - Other</b>	4,620.00
	<hr/>
<b>Total Insurance</b>	15,375.95
<b>Internet &amp; Phone</b>	122.34
<b>Loan Payments Fire Truck</b>	39,419.27
<b>Medical Supplies</b>	238.62
<b>Odds &amp; Ends</b>	647.49
<b>Office Supplies</b>	
<b>Postage</b>	396.00
	<hr/>
<b>Total Office Supplies</b>	396.00
<b>Security Alarm</b>	74.40
<b>Solar</b>	180.05
<b>Telephone</b>	
<b>East Poestenkill</b>	43.27
<b>Main Station</b>	41.58
	<hr/>
<b>Total Telephone</b>	84.85
<b>Transfer From Town Checking7189</b>	15,000.00
<b>Turnout Detergent</b>	736.00
<b>Water Tax</b>	355.58
	<hr/>
<b>Total Expense</b>	81,911.75
	<hr/>
<b>Net Ordinary Income</b>	-81,422.22
	<hr/>

**RESOLUTION NO. \_\_\_\_, 2024**

**TOWN OF POESTENKILL  
REGULAR MEETING**

**FEBRUARY 8, 2024**

**A RESOLUTION HONORING HAROLD VAN SLYKE**

**WHEREAS**, it is from time to time the duty of this legislative body to recognize the significant contributions of those who have served our community so well; and

**WHEREAS**, the Town Board of the Town of Poestenkill wishes to recognize the service of Harold Van Slyke to the community of Poestenkill and to recognize his achievements; and

**WHEREAS**, Harold Van Slyke was a founding member of the Poestenkill Business Association; and

**WHEREAS**, Harold Van Slyke actively worked on the drafting of the Town of Poestenkill Comprehensive Plan in the early 2000s; and

**WHEREAS**, Harold Van Slyke has actively worked with the Poestenkill Library for many years, with this service being especially important to many members of the Poestenkill community; and

**WHEREAS**, Harold Van Slyke served honorably for five years on the Town of Poestenkill Zoning Board of Appeals; and

**WHEREAS**, Harold Van Slyke served honorably for eight years on the Town of Poestenkill Town Board; and

**WHEREAS**, the Poestenkill community has been benefitted by Harold Van Slyke's public service, and the Town Board hereby recognizes and thanks Harold Van Slyke for all he has done for the Poestenkill community;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Board of the Town of Poestenkill in regular session duly convened as follows:

1. The Town of Poestenkill recognizes the significant contributions of Harold Van Slyke to the Poestenkill community over the course of his career and wishes him success in his next endeavors; and
2. The Town Clerk be and hereby is directed to forward a copy of this Resolution, suitably engrossed, to Harold Van Slyke.

The foregoing Resolution, offered by \_\_\_\_\_ and seconded by \_\_\_\_\_, was duly put to a roll call vote as follows:

<b>COUNCILWOMAN BUTLER</b>	<b>VOTING</b> _____
<b>COUNCILMAN HASS</b>	<b>VOTING</b> _____
<b>COUNCILMAN BURZESI</b>	<b>VOTING</b> _____
<b>COUNCILMAN WOHLLEBER</b>	<b>VOTING</b> _____
<b>SUPERVISOR RUSSELL</b>	<b>VOTING</b> _____

The foregoing Resolution was thereupon declared duly adopted.

February 8, 2024



**RESOLUTION NO. \_\_\_\_, 2024**

**TOWN OF POESTENKILL  
REGULAR MEETING**

**FEBRUARY 8, 2024**

**RESOLUTION HONORING KEITH HAMMOND**

**WHEREAS**, it is from time to time the duty of this legislative body to recognize the significant contributions of those who have served our community so well; and

**WHEREAS**, the Town Board of the Town of Poestenkill wishes to recognize the service of Keith Hammond to the community of Poestenkill and to recognize his achievements; and

**WHEREAS**, over many years, Keith Hammond has held many leadership positions in both Town and County government, providing public service and representing the interests of the residents of the Town of Poestenkill; and

**WHEREAS**, Keith Hammond served honorably on the Town of Poestenkill Planning Board for four years, as a councilman on the Town of Poestenkill Town Board for eight years, as a county legislator for eleven years, and most recently as Supervisor of the Town of Poestenkill for the last four years; and

**WHEREAS**, prior to elective or appointive public service, Keith Hammond was actively involved in the community as a founding member of the Poestenkill Business Association and actively participating in the preparation of the Town of Poestenkill Comprehensive Plan in the early 2000s; and

**WHEREAS**, the Poestenkill community has been benefitted by Keith Hammond's public service, and the Town Board hereby recognizes and thanks Keith Hammond for all he has done for the Poestenkill community;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Board of the Town of Poestenkill in regular session duly convened as follows:

1. The Town of Poestenkill recognizes the significant contributions of Keith Hammond to the Poestenkill community over the course of his career and wishes him success in his next endeavors; and
2. The Town Clerk be and hereby is directed to forward a copy of this Resolution, suitably engrossed, to Keith Hammond.

The foregoing Resolution, offered by \_\_\_\_\_ and seconded by \_\_\_\_\_, was duly put to a roll call vote as follows:

<b>COUNCILWOMAN BUTLER</b>	<b>VOTING</b> _____
<b>COUNCILMAN HASS</b>	<b>VOTING</b> _____
<b>COUNCILMAN BURZESI</b>	<b>VOTING</b> _____
<b>COUNCILMAN WOHLLEBER</b>	<b>VOTING</b> _____
<b>SUPERVISOR RUSSELL</b>	<b>VOTING</b> _____

The foregoing Resolution was thereupon declared duly adopted.

February 8, 2024

## *Local Law Filing*

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**(Use this form to file a local law with the Secretary of State.)**

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County   City   Town   Village

*(select one:)*

**of Poestenkill**

**Introductory Local Law No. 1 of the year 2024**

**A LOCAL LAW AMENDING SECTION 220-26(D) OF CHAPTER 220 OF THE CODE OF THE TOWN OF POESTENKILL.**

**Be it enacted by the Town Board of the Town of Poestenkill as follows:**

See attached.

---

**(If additional space is needed, attach pages the same size as this sheet, and number each.)**

**TOWN OF POESTENKILL**

**INTRODUCTORY LOCAL LAW NO. 1 OF 2024**

**A LOCAL LAW AMENDING SECTION 220-26(D) OF CHAPTER 220  
OF THE CODE OF THE TOWN OF POESTENKILL**

**Section 1. Title.**

This local law shall be referred to as “A Local Law Amending Section 220-26(D) of Chapter 220 of the Code of the Town of Poestenkill”.

**Section 2. Purpose and Authority.**

The Town of Poestenkill operates meters for all water services connected to a public water system in the Town of Poestenkill. Many meters in the Town are in a state of disrepair and require maintenance. Parts required for maintenance of such meters have become difficult to obtain in a timely manner. Section 220-26(D) of the Town Code allows water billing based on estimated water consumption only for one billing period. The Town Board seeks to allow the issuance of water bills based on estimated water consumption for more than one billing period.

Therefore, Section 220-26(D), “Meter reading”, of the Town of Poestenkill Town Code, requires amendment.

**Section 3. Amendment.**

The Code of the Town of Poestenkill, Chapter 220, Water, Section 220-26(D), “Meter reading”, shall be repealed in its entirety and replaced with the following:

Unless an additional billing period or periods using estimated water consumption is approved by the Town Board, water consumption will only be estimated for one billing period and the meter must be read electronically or manually for the next billing period.

**Section 4. Severability.**

If any section or subdivision, paragraph, clause, or phrase of this local law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

**Section 5. Effective Date.**

This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as Introductory Local Law No. 1 of 2024 of the (County)(City)(Town)(Village) of Poestenkill was duly passed by the Town of Poestenkill Town Board on \_\_\_\_\_, 2024, in accordance with the applicable provisions of law.

~~**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_ in accordance with the applicable provisions of law.~~

~~**3. (Final adoption by referendum.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.~~

~~**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.~~

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

~~**5. (City local law concerning Charter revision proposed by petition.)**~~

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. ~~(County local law concerning adoption of Charter.)~~**

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.~~

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

\_\_\_\_\_  
Clerk of the county legislative body, City, Town or Village  
Clerk or officer designated by local legislative body

(Seal)

Date: \_\_\_\_\_

## *Local Law Filing*

---

**(Use this form to file a local law with the Secretary of State.)**

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County   City   Town   Village

*(select one)*

**of Poestenkill**

**Introductory Local Law No. 2 of the year 2024**

**A LOCAL LAW PROVIDING FOR THE DEFENSE AND INDEMNIFICATION OF OFFICERS AND EMPLOYEES OF THE TOWN OF POESTENKILL.**

**Be it enacted by the Town Board of the Town of Poestenkill as follows:**

See attached.

---

**(If additional space is needed, attach pages the same size as this sheet, and number each.)**

**TOWN OF POESTENKILL**

**INTRODUCTORY LOCAL LAW NO. 2 OF 2024**

**A LOCAL LAW PROVIDING FOR THE DEFENSE AND INDEMNIFICATION  
OF OFFICERS AND EMPLOYEES OF THE TOWN OF POESTENKILL**

**Section 1. Title.**

This local law shall be referred to as “A Local Law Providing for the Defense and Indemnification of Officers and Employees of the Town Code of the Town of Poestenkill”.

**Section 2. New Chapter of the Town Code.**

The Town of Poestenkill Code be and hereby is amended by this local law by creating a new Chapter 52 as follows:

**Chapter 52.**

**§ 52-1 Legislative Intent.**

Public Officers Law § 18 authorizes municipalities, such as the Town of Poestenkill, to adopt that section and thereby provide defense and indemnification protections to its officers and employees in connection with civil actions or proceedings, state or federal, arising out of an alleged act or omission which occurred or allegedly occurred while the officer or employee was acting within the scope of his or her public employee employment or duties. The purpose of this chapter is to confer the benefits of Public Officers Law § 18, and such other benefits in supplement thereto as are hereinafter set forth, and thereby provide legal and financial protection to those individuals who serve the Town of Poestenkill as municipal officers, appointees, and employees, from losses which might result from legal actions which may be brought against them in their individual capacities for acts or missions undertaken while in the performance of their official duties and responsibilities. In enacting this chapter, this Town Board finds that the State of New York, and other towns and municipalities in the State of New York, have enacted similar provisions for the legal and financial protection of their officers and employees, and that such security is also required for the officers and employees of the Town of Poestenkill. It is the intent of this chapter to provide such protections to officers and employees of the Town of Poestenkill similar to that provided to state officers and employees and the officers and employees of other municipalities and public entities, so as to continue to attract qualified and committed individuals to serve the Town of Poestenkill. The benefits and protections accorded to officers, appointees, and employees of the Town of Poestenkill pursuant to this chapter are intended to be in the nature of additional compensation and remuneration for the services they provide the Town, and to thereby attract and retain qualified individuals to the service of the Town of Poestenkill.



## **§ 52-2 Definitions.**

EMPLOYEE – Any commissioner, member of a public board or commission, trustee, director, officer, employee, volunteer expressly authorized to participate in a publicly sponsored volunteer program, or any other person holding a position by election, appointment, or employment in the service of the Town, whether or not compensated, but shall not include an independent contractor. The term “Employee” shall include a former employee, his or her estate or judicially appointed personal representative.

TOWN – The Town of Poestenkill, its departments and agencies.

## **§ 52-3 Applicability.**

The provisions of this chapter shall apply only to those actions and proceedings specified herein which arise solely and entirely out of acts of an Employee which occurred while such Employee was acting within the scope of his or her public employment or duties and shall be given effect to the fullest extent allowable under law.

## **§ 52-4 Application of Public Officers Law.**

The full benefits of Public Officers Law § 18 are hereby conferred upon the Employees of the Town of Poestenkill and the Town of Poestenkill shall be liable for the costs incurred under the provisions of said statute, all subject to the terms and conditions therein contained.

## **§ 52-5 Supplemental Defense and Indemnification – Civil Actions and Proceedings.**

For the purposes of this chapter, the term “civil action or proceeding, state or federal”, as is used in Public Officers Law § 18.3(a), shall be deemed to include, in addition to all civil actions and proceedings in a state or federal court, the following:

A. Any civil action or proceeding in a state or federal administrative agency with the exception of:

1. Actions or proceedings of any type or nature involving the imposition of discipline upon, or effecting the removal of, any Employee, whether or not initiated by the Town; and
2. Actions or proceedings of any type or nature involving the suspension, revocation, or diminution of any license, professional or otherwise, held by an Employee.

## **§ 52-6 Defense Provision.**

A. Upon compliance by the employee with the provisions of § 52-8 of this chapter, the Town shall provide for the defense of the employee in any civil action or proceeding, state or federal, either judicial or regulatory, arising out of any alleged act or omission which occurred or allegedly occurred while the employee was acting within the scope of his or her public

employment or duties. This duty to provide for a defense shall not arise where such civil action or proceeding is brought by or at the behest of the Town employing such employee.

B. Subject to the conditions set forth of paragraph (A) of this section, the employee shall be entitled to be represented by private counsel of his or her choice in any civil action or proceeding whenever the chief legal officer of the Town, or other counsel designated by the Town determines that a conflict of interest exists, or whenever a court upon appropriate motion or otherwise by a special proceeding, determines that a conflict of interest exists and that the employee is entitled to be represented by counsel of his or her choice. However, the chief legal officer or other counsel designated by the Town may require, as a condition to payment of fees and expenses of such representation, that appropriate groups of such employees be represented by the same counsel. Reasonable attorneys' fees and litigation expenses shall be paid by the Town to such private counsel from time to time during the pendency of the civil action or proceeding with the approval of the Town Council.

C. Any dispute with respect to representation of multiple employees by a single counsel, the amount of litigation expenses, or the reasonableness of attorneys' fees shall be resolved by the court upon motion or by way of special proceeding.

D. When the employee delivers process and a written request for a defense to the Town under § 52-8 of this chapter, the Town shall take the necessary steps on behalf of the employee to avoid entry of a default judgment pending resolution of any question pertaining to the obligation to provide for a defense.

#### **§ 52-7 Duty to Indemnify and Save Harmless.**

A. The Town shall indemnify and save harmless its employees in the amount of any judgment obtained against such employees in a state or federal court or other governmental agency or adjudicatory body, or in the amount of any settlement of a claim, provided that the act or omission from which such judgment or claim arose occurred while the employee was acting within the scope of his or her public employment or duties; provided further that in the case of a settlement the duty to indemnify and save harmless shall be conditioned upon the approval of the amount of settlement by the Town.

B. Except as otherwise provided by law, the duty to indemnify and save harmless prescribed by this section shall not arise when the injury or damage resulted is from intentional wrongdoing on the part of the employee.

C. Nothing in this section shall authorize the Town to indemnify or save harmless an employee with respect to punitive or exemplary damages, fines, or penalties, or money recovered from an employee pursuant to General Municipal Law § 51; provided, however, that the Town shall indemnify and save harmless its employees in the amount of any costs, attorneys' fees, damages, fines, or penalties which may be imposed by reason of an adjudication that an employee, acting within the scope of his or her public employment or duties, has, without willfulness or intent on his or her part, violated a prior order, judgment, consent decree, or stipulation of settlement entered in any court of this state or of the United States.

D. Upon entry of a final judgment against the employee, or upon the settlement of the claim, the employee shall serve a copy of such judgment or settlement, personally or by certified or registered mail within thirty (30) days of the date of entry or settlement, upon the Town Clerk; and the amount of such judgment or settlement shall be paid by the Town.

**§ 52-8 Conditions of Defense and Indemnification.**

The duty to defend and the duty to indemnify and save harmless prescribed by this chapter shall be conditioned upon:

A. Delivery by the employee to the Town Clerk a written request to provide for his or her defense together with the original or a copy of any summons, complaint, process, notice, demand, or pleading within ten (10) days after he or she is served with such document; and

B. The full cooperation of the employee in the defense of such action or proceeding and in defense of any action or proceeding against the Town based upon the same act or omission, and in the prosecution of any appeal.

**§ 52-9 Benefit to Employee.**

The benefit of this section shall inure only to employees as defined herein and shall not enlarge or diminish the rights of any other party nor shall any provision of this section be construed to affect, alter, or repeal any provision of the Workers' Compensation Law.

**§ 52-10 Obligation to Give Notice.**

This section shall not in any way affect the obligation of any claimant to give notice to the Town under the New York General Municipal Law § 50-i, or any other provision of law.

**§ 52-11 Insurance.**

A. The Town is authorized to purchase insurance from any insurance company created by or under the laws of the State of New York, or authorized by law to transact business in the State of New York, against any liability imposed or assumed by the provisions of this chapter, or to act as a self-insurer with respect thereto.

B. The provisions of this chapter shall not be construed to impair, alter, limit, or modify the rights and obligations of any insurer under any policy of insurance.

**§ 52-12 Public Purpose.**

All payments made under the terms of this chapter shall be deemed to be for a public purpose and shall be audited and paid in the same manner as other public charges.

### **§ 52-13 Rights and Obligation of Insurer.**

The provisions of this chapter shall not be construed to impair, alter, limit, or modify the rights and obligations of any insurer under any policy of insurance.

### **§ 52-14 Immunity to Liability.**

Except as otherwise specifically provided in this chapter, the provisions of this section shall not be construed to in any way impair, alter, limit, abrogate, or restrict any immunity to liability available to or conferred upon any unit, entity, officer, or employee of the Town, in accordance with, or by reason of, any other provision of state or federal statutory or common law.

### **Section 3. Severability.**

If any section or subdivision, paragraph, clause, or phrase of this local law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

### **Section 4. Effective Date.**

This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as Introductory Local Law No. 2 of 2024 of the (County)(City)(Town)(Village) of Poestenkill was duly passed by the Town of Poestenkill Town Board on \_\_\_\_\_, 2024, in accordance with the applicable provisions of law.

~~**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_ in accordance with the applicable provisions of law.~~

~~**3. (Final adoption by referendum.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.~~

~~**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.~~

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

~~**5. (City local law concerning Charter revision proposed by petition.)**~~

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

~~6. (County local law concerning adoption of Charter.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.~~

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

\_\_\_\_\_  
Clerk of the county legislative body, City, Town or Village  
Clerk or officer designated by local legislative body

(Seal)

Date: \_\_\_\_\_

**RESOLUTION NO. \_\_\_\_\_, 2024**

**TOWN OF POESTENKILL  
REGULAR MEETING**

**FEBRUARY 8, 2024**

**RESOLUTION AUTHORIZING PURCHASE OF UTILITY TRAILER**

**WHEREAS**, The Town of Poestenkill Highway Department (“Highway Department”) seeks to purchase a utility trailer, which the Highway Department deems necessary and appropriate for use by the Town of Poestenkill; and

**WHEREAS**, on February 2, 2024, the Highway Department obtained a written proposal from Monroe Tractor for the purchase of a Towmaster Model T-40LP utility trailer which meets the needs and requirements of the Highway Department, at a total purchase price of \$36,240.00, under and pursuant to Sourcewell Contract Number 092922-MNR; and

**WHEREAS**, Sourcewell is a public agency, public corporation, and governmental unit created by the Legislature of the State of Minnesota; and

**WHEREAS**, New York General Municipal Law §103(16) authorizes municipalities to comply with competitive bidding requirements through entering into contracts for services and/or equipment through the use of contracts let by the United States or any agency thereof, any State or any other political subdivision or district therein; and

**WHEREAS**, it appearing to the satisfaction of the Town Board that Sourcewell purports to be and is a political subdivision of the State of Minnesota, and that the Town is therefore entitled to make purchases under contracts let by Sourcewell; and

**WHEREAS**, Sourcewell Contract Number 092922-MNR meets the requirements of General Municipal Law §103(16); and

**WHEREAS**, Town Board of the Town of Poestenkill seeks to authorize the purchase of such trailer pursuant to the written proposal by Monroe Tractor as hereinabove described;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Board of the Town of Poestenkill in regular session duly convened as follows:

1. The Town Board of the Town of Poestenkill hereby authorizes the purchase of a utility trailer, Towmaster Model T-40LP, as set forth in the written proposal issued by Monroe Tractor, quoted through Sourcewell Contract Number 092922-MNR, in an amount not to exceed \$36,240.00.

The foregoing Resolution, offered by \_\_\_\_\_ and seconded by \_\_\_\_\_, was duly put to a roll call vote as follows:

<b>COUNCILWOMAN BUTLER</b>	<b>VOTING</b> _____
<b>COUNCILMAN HASS</b>	<b>VOTING</b> _____
<b>COUNCILMAN BURZESI</b>	<b>VOTING</b> _____
<b>COUNCILMAN WOHLLEBER</b>	<b>VOTING</b> _____
<b>SUPERVISOR RUSSELL</b>	<b>VOTING</b> _____

The foregoing Resolution was/was not thereupon declared duly adopted.

February 8, 2024



Towmaster T-40LP (Sourcewell pricing)

1 Base Model - T-40LP	\$43,565.00
20 Deck Length - In Feet	
20 Decking Type - 2" Nominal Oak	
Width - 102" Wide	
1 Beavertail - 5' Cleated Style	
1 Deck Height - 36"	
2 Axles - 25K Oil Bath, Spring Ride, 49" Spread	
2 Brakes - Air Brakes 2S/1M	
8 Tires - 235/75R X 17.5"	
8 Wheels - 8 Bolt, Outboard, Hub Piloted, Steel	
1 Jack - 25K 2 Speed	
1 Lights - L.E.D.	
1 Plug - 7 Pole Round	
1 Hitch/Neck - 3" Pintle Ring	
2 Ramps - 5' Cleated Style *	
1 Ramp Color - Equipment Red	
1 Trailer Color - Equipment Black	
8 Tie Downs - D-Rings	
Freight	\$1,490.00

Sourcewell Contract Pricing: \$38,084.60

MT Selling Price: \$36,240

**Zimbra****kseifridsberger@poestenkillny.com**

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**Re: [EXTERNAL] RE: Trailer resolution**

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**From :** David Goyer DJ  
<dgoyer@poestenkillny.com>

Fri, Feb 02, 2024 10:26 AM

**Subject :** Re: [EXTERNAL] RE: Trailer resolution

📎 1 attachment

**To :** Andrew W. Gilchrist  
<agilchrist@gilchristtingley.com>

**Cc :** Thomas Russell  
<trussell@poestenkillny.com>, Kara  
Seifridsberger  
<kseifridsberger@poestenkillny.com>

Andy- attached is the trailer quote from Monroe Tractor. The trailer is on source well state contract and with discounts the final price will be lower than source well listed pricing as shown on quote.

Company information is Monroe Tractor 423 Old Loudon Rd, Latham NY 12110

Trailer brand name is Towmaster and model is T-40LP.

David (DJ) Goyer  
Poestenkill Highway  
(518)269-1656 Work  
(518)590-5041 Cell

----- Original Message -----

From: "Andrew W. Gilchrist" <agilchrist@gilchristtingley.com>  
To: "David Goyer DJ" <dgoyer@poestenkillny.com>  
Sent: Friday, February 2, 2024 8:42:20 AM  
Subject: RE: [EXTERNAL] RE: Trailer resolution

Understood. Let me know. Andy.

Andrew W. Gilchrist  
Shareholder • agilchrist@gilchristtingley.com

Gilchrist Tingley, P.C.  
<http://www.gilchristtingley.com>

TOWN CLERK'S MONTHLY REPORT

Town of Poestenkill, New York

January 2024

To THE SUPERVISOR: Pursuant to Section 27, Subd. 1, of the Town Law, I hereby make the following statement of all fees and moneys received by me in connection with my office during the payment of

	Conservation Fees to the Town:	\$ 10.08
	Marriage License 1 @ \$ 7.50	\$ 7.50
	Marriage Certificate 1 @ \$10.00	\$ 10.00
A1255	Total Town Clerk Fees	\$ 27.58
A-1090	Penalties/Interest	\$
A1289	Registrar	\$ 120.00
A2655	Minor Sales – Copies (certified copy) –	\$
A2544	Local Fee for Dogs –	\$ 180.00
A2115	Planning Board Fees - \$100.00 ZBA Fees - \$	\$ 100.00
A2555	Building Permits	\$ 40.00
A-2545	Peddlers Permit	\$
2110	Water Benefit Charge	\$
A2720	Water Meter Fee - \$ 275.00	
A2240	Misc. Water Charges - 200.00	
A2710	Water Permit Fee - 40.00	
1001	Water Billing - 11,106.04	
	<b>TOTAL WATER CHARGES</b>	<b>\$ 11,621.04</b>
	<b>REVENUE TO SUPERVISOR</b>	<b>\$12,088.62</b>
	Amount paid to State Comptroller for Games of Chance License	\$
	Amount paid to DEC for Conservation Licenses	\$ 784.92
	Amount paid to AG & Markets for fee for unsprayed/unneutered Dog program	\$ 36.00
	Amount paid to State Health Dept. for Marriage Licenses	\$ 22.50
	<b>TOTAL DISBURSED</b>	<b>\$ 843.42</b>
	Tom Russell, Town Supervisor	\$
	<b>TOTAL AMOUNT RECEIVED BY CLERK</b>	<b>\$ 12,932.04</b>
<p>State of New York, County of Rensselaer, Town of Poestenkill, Susan Horton, being duly sworn says that she is the Clerk of the Town of Poestenkill the foregoing is a full and true statement of all Fees and Moneys received by her during January.                  Fees the application and payment of which are otherwise provided by law subscribed and sworn to before me this 3rd day of January 2024.</p> <p><i>Susan Horton, Town Clerk</i></p>		



# Town of Poestenkill

## Assessor's Office

P.O. Box 210 38 Davis Drive  
Poestenkill, NY 12140  
518-283-5100 Ext. 101

TO: Supervisor Tom Russell and Poestenkill Town Board

FROM:  Betsy Pinho, Assessor

RE: Assessor's Report January 2024

The Assessor's Office mailed all renewal exemption application forms in December. These exemptions include the Senior, Disability, Agriculture, Non-Profit, and Clergy exemptions. If residents had not yet submitted their exemption application, we also mailed the required 30-day reminder letter for the Senior Citizen renewal exemption, and the Persons with Disabilities and Limited Incomes renewal exemption.

The 2024 Assessment Roll exemption filing deadline is March 1, 2024, for all exemptions. Residents will have the option to return the required forms and documentation by mail, in person, or utilize the Town drop box.

The County approved a local law to increase the income limit to \$40,000 for the County portion of the Senior RP-467 exemption and the Disability RP-459 exemption. The Town and School Districts income limit remains unchanged at \$37,400.

The Assessor's Office continues to routinely process new deeds and parcel split/merger documents received from the County. We also continue to process exemption applications and closed building permits. All other functions, including responding to resident inquiries and updating the Real Property System, continue as normal.

All other Assessor Office functions continue as normal.

cc: Susan Horton, Town Clerk



# TOWN OF POESTENKILL

Water Department  
38 Davis Drive  
P.O. Box 210  
Poestenkill, NY 12140  
(518)283-5100 ext 110



Memorandum

To: Tom Russell-Town Supervisor

Town Board Members

From: William Sansone Water Operator

Date: February 6 , 2024

Overview of the month of January 2024

-We tested for coliform at Town Hall which has to be done 1 time every month. "Test results are negative "

We are installing new antennas that have failed.

-We performed 4 dig safes for the town this month

- We performed 1 emergency dig safe.

- We dropped off broken pump from pump house to vender to be rebuilt so we have a spare.

- We received 40 new antennas to keep up with the ones that are failing.

- Got conformation that new reading system should be in by end of February early March.

- We are receiving new permits to hook up to the water system.

The Water department will continue to be represented in polite, efficient and professional manner for all residents of the town.

William Sansone  
Water Operator

Phone: (518) 283-5100

Fax: (518) 283-7550

**Town of Poestenkill**  
**Office of the Highway Superintendent**  
**P.O. Box 210**  
**Poestenkill, NY 12140**  
**(518)283-4144**

**To:** Town Supervisor- Tom Russell  
Town Board Members- Butler, Wohlleber, Hass, Burzesi

**From:** Highway Superintendent- David (DJ) Goyer

**Date:** January 5<sup>th</sup>, 2024 – February 2<sup>nd</sup>, 2024

**RE:** Highway Activities

1. We had numerous snowstorms during this monthly period that had the crew busy performing snow and ice operations.
2. Throughout the month I had ordered road salt a few times, so when that was delivered each time, we would haul in winter sand to refill the shed.
3. We had two separate rain and windstorms that caused trees to fall all over town. We spent the days following the storms cleaning up and chipping all the storm damage.
4. The crew has been out patching the potholes on the dirt roads a few times, given the fact that we haven't had a consistent frost in the ground.
5. January plagued us with a full schedule of breakdowns and mechanical issues with the plow trucks. We spent a lot of time working on equipment in the shop to get everything back in working order and functional for the rest of the winter season.
6. We spent a couple days recently doing some ditching with the gradall on a few different roads. Mostly worked on North Road and Colehamer Road.