

(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 of **POESTENKILL**
Town
Village

Local Law No **2** of the year **2012**

A local law **PROVIDING FOR THE SEASONAL PROHIBITION OF PARKING OF VEHICLES
IN THE VICINITY OF BARBERSVILLE FALLS**
(Insert Title)

Be it enacted by the **Town Board** of the
(Name of Legislative Body)

County
City of **POESTENKILL** as follows:
Town
Village

Section 1. Title.

This local law may also be cited and hereafter referred to as "Parking Prohibition Law No.1 of the Year 2012 of the Town of Poestenkill."

Section 2. Legislative authority; intent and purpose.

Vehicle and Traffic Law §1660(a)(18) permits any town by local law, ordinance, order, rule or regulation to prohibit, restrict or limit the stopping, standing or parking of vehicles with respect to any highways in such town with the exception of state highways. Whereas there has throughout the years occurred continuing trespass upon the lands containing and surrounding Barbersville Falls, particularly in the summer months, with resultant peril and injury to the safety, health and welfare of such trespassers as well as those seeking to assist and/or rescue said trespassers, and whereas the unauthorized entry upon said lands has been primarily achieved by vehicular access from vehicles parked in the public rights-of-way of Blue Factory Hill Road, Plank Road and Banner Hill Lane, which parking also threatens the safety of the motoring public, it is the purpose and intent of this local law to prohibit parking on or along said roads during the summer months.

Section 3. Parking prohibited on a seasonal basis.

Commencing on the twenty-fifth day of May each year and continuing through the eighth day of September thereof, no person shall park a motor vehicle on either side of any of the following streets, parts of streets or the public rights-of-way adjacent thereto:

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

- (a) Blue Factory Hill Road, from its intersection with Plank Road and proceeding easterly therefrom a distance of six hundred feet (600’);
- (b) Banner Hill Lane, from its intersection with Blue Factory Hill Road and proceeding southerly therefrom a distance of two hundred feet (200’); and
- (c) Plank Road, commencing at a point six hundred feet (600’) west of its intersection with Blue Factory Hill Road and running thence generally northerly and westerly therefrom a distance of two thousand, three hundred feet (2,300’).

Section 4. Exemption for cemetery purposes.

The short-term parking of motor vehicles incidental to participation in or attendance at funeral, burial and/or memorial services at the cemeteries accessed by such roads shall be exempt from the aforesaid prohibition.

Section 5. Penalties for offenses.

Any violation of this local law shall render the owner of the unlawfully parked vehicle to be subject to a fine not to exceed fifty dollars (\$50.00). In addition, and pursuant to the authority granted by Vehicle and Traffic Law §1660(a)(8), any vehicle parked in violation of this local law may be towed or otherwise removed to a facility authorized by the Town of Poestenkill and the owner of said vehicle shall be fully and solely liable for any and all charges for the removal, storage and redemption of such vehicle.

Section 6. Severability.

If any section or provision of this local law should hereafter be determined by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such determination shall not affect the validity of this local law as a whole or of any part of this local law other than the section or provision so declared to be unconstitutional or invalid.

Section 7. Effective date and applicability.

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

Fax Log for
Patrick J. Tomaselli
5186892280
Jul 24 2012 12:40p

Last Transaction

Date	Time	Type	Station ID	Duration	Pages	Result
Jul 24	12:39p	Fax Sent	2701203	0:41	2	OK

Patrick J. Tomaselli
Attorney at Law
Tomaselli Law Offices
P.O. Box 97
Poestenkill, New York 12140-0097
Telephone and Facsimile (518) 689-2280

July 23, 2012

TRANSMITTED VIA FACSIMILE TO 270-1203

The Record
Fifth and Broadway
Troy, New York 12180

RE: Notice of Public Hearing for the Town of Poestenkill
Proposed Local Law No. 2 of the Year 2012
**PARKING PROHIBITION LAW NO. 1 OF THE YEAR 2012
OF THE TOWN OF POESTENKILL**

To whom it may concern:

As Poestenkill Town Attorney, I am transmitting herewith a Notice of Public Hearing to be published in the legal notices section of The Record one (1) time on or before August 5, 2012.

Please send the billing and the affidavit of publication for said legal notice to:

Susan Horton, Town Clerk
Poestenkill Town Hall
P.O. Box 210
Poestenkill, New York 12140

Please do **NOT** send the billing and the affidavit of publication to me.

Thanking you for your attention to this matter, I am

Very truly yours,



PATRICK J. TOMASELLI, ESQ.
Poestenkill Town Attorney
Enclosure

cc: Poestenkill Town Board
Susan Horton, Town Clerk

**NOTICE OF PUBLIC HEARING
TOWN OF POESTENKILL**

Notice is hereby given that the Town Board of the Town of Poestenkill will conduct a public hearing at the Poestenkill Town Hall in the Town of Poestenkill, County of Rensselaer, New York at 7:15 PM on August 16, 2012 to consider the adoption of proposed Local Law No. 2 of the Year 2012 of the Town of Poestenkill entitled **"PARKING PROHIBITION LAW NO. 1 OF THE YEAR 2012 OF THE TOWN OF POESTENKILL"** which make it unlawful to park a motor vehicle on certain sections of Blue Factory Hill Road, Plank Road and Banner Hill Lane in the vicinity of Barbersville Falls from May 25th through September 8th of every year, with offenders subject to a fine not to exceed \$50.00 as well as the costs of removal, storage and redemption of the unlawfully parked vehicle.

At the aforesaid time and place of hearing, all interested persons will be given the opportunity to be heard concerning the adoption of the proposed legislation.

Dated: July 23, 2012

By Order of the Town Board
Susan Horton, Town Clerk

Approved as to form by
Patrick J. Tomaselli, Esq., Town Attorney

Fax Log for
Patrick J. Tomaselli
5186892280
Jul 25 2012 11:01a

NOTE: Blocked calls are not displayed on this report.
For more information, see Junk Fax Report and the Caller ID History report.

Last Transaction

Date	Time	Type	Station ID Caller ID	Duration	Pages	Result
Jul 25	11:00a	Received	5809044	0:47	1	OK

RECEIPT

New York Classified
20 Lake Avenue
Saratoga Springs, NY 12666

07/25/12

Phone: (518) 584-4242 Fax: (518) 584-2645

Account: 13745	Date: 07/25/12
Name:	Ad Date: 07/27/12
Company: TOWN OF POESTENKILL	Class: 1201
Address: PO Box 210	Ad ID: 33360
POESTENKILL, NY 12140	Ad Taker: CRBBECK
Telephone: (518) 283-5100	Sales Person: Brea Beck
Description: NOTICE OF PUBLIC HEARING TOWN OF POE	Words: 195
	Lines: 54
	Agate Lines: 54
	Depth: 6.097
	Inserts: 2
	Blind Box:

NOTICE OF PUBLIC HEARING TOWN OF POESTENKILL

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At the aforesaid time and place of hearing, all interested persons will be given the opportunity to be heard concerning the adoption of the proposed legislation.

Dated: July 23, 2012
 By Order of the Town Board
 Susan Horton, Town Clerk
 Approved as to form by
 Patrick J. Tomaselli, Esq.,
 Town Attorney

Gross:	\$42.80
Paid Amount:	- \$0.00
Amount Due:	\$42.80

Publication
The Record, troyrecord.com

Attn: Susan/Patrick
 from: Brea @ The Record

fax: 580-9044

We Appreciate Your Business!
 Thank You!

9:44 AM

07/31/12

Accrual Basis

Poestenkill Fire Company Custom Summary Report April through June 2012

	<u>Apr - Jun 12</u>
Income	
Reimbursements	
Other	24.99
Pagers	97.00
Total Reimbursements	121.99
Returned Item	191.23
Town Contract Money	86,421.96
Total Income	86,735.18
Expense	
Alpha Pagers	100.00
Building Fuel (heating)	
East Poestenkill (propane)	623.82
Main Station (fuel oil)	2,642.87
Total Building Fuel (heating)	3,266.69
Building Maintenance	
Cleaning Supplies	342.63
Main Station	452.75
Refuse	225.15
Total Building Maintenance	1,020.53
Electric	
East Poestenkill	196.92
Main Station	1,860.56
Total Electric	2,057.48
Equipment	
New Equipment	14,139.64
Repair & Maintenance	2,016.36
Total Equipment	16,156.00
Fire Trucks	
Fuel	1,635.59
Repair & Maintenance	16,490.82
Total Fire Trucks	18,126.41
Insurance	
Auto	3,082.00
Buildings	3,595.00
Umbrella	780.00
Total Insurance	7,457.00
Loan Payments Fire Truck	11,972.46
NY Fire Fee	14.74
Ny Motor Vehicle Fee	20.00
Office Supplies	
Postage	90.00
Office Supplies - Other	330.00
Total Office Supplies	420.00
Physicals	420.00
Professional Services	3,000.00
Propane (cooking)	98.00
Security Alarm	195.00
Telephone	
Cell Phones	720.15
East Poestenkill	145.48
Main Station	423.73
Pay Phone	103.29
Total Telephone	1,392.65

9:44 AM
07/31/12
Accrual Basis

Poestenkill Fire Company
Custom Summary Report
April through June 2012

	<u>Apr - Jun 12</u>
Town Water	67.30
Training	150.00
Uniforms	<u>583.09</u>
Total Expense	<u>66,517.35</u>
Net Income	<u><u>20,217.83</u></u>

9:46 AM
07/31/12
Accrual Basis

Poestenkill Fire Company Custom Summary Report July 2012

	<u>Jul 12</u>
Income	
FEMA REIMBURSEMENT	12,370.10
Town Contract Money	2,600.00
Total Income	<u>14,970.10</u>
Expense	
Alpha Pagers	166.30
Building Maintance	
Main Station	144.44
Refuse	75.05
Total Bullding Maintance	<u>219.49</u>
Electric	
East Poestenkill	57.85
Main Station	755.60
Total Electric	<u>813.45</u>
Equipment	
New Equipment	1,406.97
Repair & Maintance	551.46
Total Equipment	<u>1,958.43</u>
Fire Trucks	
Fuel	2,967.03
Repair & Maintance	1,461.40
Total Fire Trucks	<u>4,428.43</u>
Insurance	
Auto	771.00
Buildings	893.00
Unbrela	194.00
Total Insurance	<u>1,858.00</u>
Loan Payments Fire Truck	3,990.82
Porfessional Services	550.00
Propane (cooking)	72.41
Security Alarm	65.00
Telephone	
Cell Phones	184.91
East Poestenkill	49.69
Main Station	144.26
Pay Phone	35.49
Telephone - Other	5.11
Total Telephone	<u>419.46</u>
Training	598.50
Transfer to Truck Fund	20,000.00
Water Tax	60.14
Total Expense	<u>35,200.43</u>
Net Income	<u><u>-20,230.33</u></u>

New York State Dept of Taxation & Finance
Office of Real Property Tax Services
WA Harriman State Campus
Albany, New York 12227

Certificate of the Final State Equalization Rate
for the 2012 Assessment Roll

Mr. Dominic Jacangelo , Supervisor
Town of Poestenkill
P.O. Box 210
Poestenkill, NY 12140 0210

County of Rensselaer
Town of Poestenkill

Final State Equalization Rate: * 25.40 *

I, Brian F. Moon, hereby certify that on July 31, 2012 the State Office of Real Property Tax Services established a final State equalization rate of 25.40 for the above named municipality.



Brian F. Moon
Real Property Analyst 2

Note: Since your municipality did not file a complaint with respect to the tentative rate, the final equalization rate is the same as the tentative rate. Notice of the final rate will be filed with the clerk of the county legislative body and in the office of the State Comptroller.

Mr. Jeffry A. Jackson , Appointed Assessor
Town of Poestenkill
P.O. Box 210
Poestenkill, NY 12140

2012 Equalization Rate Status

Municipal Code	Municipal Name	(A) 2011 State Equalization Rate	(B) 2012 State Equalization Rate and Status	(C) Percentage Change in Estimate of Full Value
381400	City of Rensselaer	29.80	29.38 Final	0.16%
381700	City of Troy	13.80	14.00 Tentative	-1.43%
382000	Town of Berlin	24.50	26.00 Tentative	-5.77%
382200	Town of Brunswick	25.30	25.81 Tentative	-1.98%
382400	Town of East Greenbush	100.00	100.00 Final	-0.25%
382600	Town of Grafton	7.90	8.20 Final	-3.24%
382800	Town of Hoosick	27.20	26.30 Tentative	3.42%
382801	Village of Hoosick Falls	13.90	13.47 Final	2.98%
383000	Town of Nassau	68.00	70.00 Final	-2.85%
383001	Village of Nassau	50.94	89.52 Final	2.56%
383200	Town of North Greenbush	26.50	26.50 Tentative	0.00%
383400	Town of Petersburg	54.50	56.90 Final	-4.56%
383600	Town of Pittstown	61.00	64.00 Final	-4.93%
383601	Village of Valley Falls	54.16	52.80 Final	2.58%
383800	Town of Poestenkill	24.10	25.40 Final	-5.48%
384000	Town of Sand Lake	100.00	100.00 Tentative	0.00%
384200	Town of Schaghticoke	23.00	24.00 Tentative	-4.17%
384400	Town of Schodack	100.00	107.15 Tentative	-6.67%
384600	Town of Stephentown	29.00	29.90 Tentative	-3.01%

Column C is the percentage change in the estimate of full value between the 2011 State equalization rate and the 2012 State equalization rate due to the change in full value standard.

This percentage change is important because county and school taxes are apportioned according to a municipality's share of the full value of the county or the school. A municipality will be apportioned a larger share of the tax levy if its full value increases by a larger percentage than others, or if its full value decreases less than the decrease for other municipalities in the county or school.

The information shown in columns B and C is subject to change as the other tentative rates are established in the county and as rates are finalized after the completion of rate complaint processing. You will be sent a complete report when we have established 2012 State equalization rates for all municipalities in your county.

Patrick J. Tomazelli
Attorney at Law
Tomazelli Law Offices
P.O. Box 97
Poestenkill, New York 12140-0097
Telephone and Facsimile (518) 689-2280

August 10, 2012

Steve and Jana Russo
337 West Sand Lake Road
Wynantskill, New York 12198

RE: Highway Status of Offshoot of Williams Street in the Town of Poestenkill

Dear Mr. and Mrs. Russo:

As Town Attorney of the Town of Poestenkill, your letter of June 20, 2012 to Town Supervisor Dominic Jacangelo has been referred to me for investigation and comment. I have discussed this matter with Town Highway Superintendent Toby Chadwick and other members of the Poestenkill Highway Department and based upon the factual situation as gleaned from those discussions and the applicable law, I have reached the following conclusions concerning the subject roadway.

At the outset, I note that the applicable law is set forth in §189 of the Highway Law of the State of New York which provides as follows:

§189. Highways by use

All lands which shall have been used by the public as a highway for a period of ten years or more, shall be a highway, with the same force and effect as if it had been duly laid out and recorded as a highway, and the town superintendent of highways shall open all such highways to the width of at least three rods.

Case law has held that where a town does not regularly maintain or exercise dominion and control over a road for a continuous period of 10 years or more, such a road does not become a town highway by use. This is true even though the town may have performed some repair work for the primary purpose of providing or improving emergency access and even though the town may have plowed snow from the roads *if* such road was not kept in repair or maintained in the same manner as other town roads. Moreover, and the literal wording of the statute notwithstanding, as a general rule even if a highway easement is created by use, it is only as wide (and as long) as its actual use for purpose of public travel.

Based upon my interviews with representatives of the Highway Department, I am of the opinion that there was sufficient public use and sufficient dominion and control exercised by the Town of Poestenkill so as to establish at least a portion of the subject roadway as a highway by use. More specifically, said road would appear to be a user highway for a distance of one hundred fifty feet (150') from its intersection with Williams Street.

In accordance with the foregoing, I am by copy of this letter to the Poestenkill Highway Superintendent and Poestenkill Town Board advising them of my findings and conclusions and recommending that the Town continue to maintain this road to the limited extent indicated. I am also requesting that, if said road in fact has no current designation, that the Town formally establish a name for said section of roadway for purposes of 911 identification and emergency location. Naturally, you will be kept apprised of the Town's action in this regard.

If you have any questions or additional concerns, please do not hesitate to bring them to the attention of the Town.

Very truly yours,



PATRICK J. TOMASELLI, ESQ.
Poestenkill Town Attorney

pc: Poestenkill Town Board
Poestenkill Town Highway Superintendent
David Barcher, 53 Snyders Corners Road, Wynantskill, NY 12198

**TOWN CLERK'S MONTHLY REPORT
TOWN OF POESTENKILL, NEW YORK
July 2012**

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 which is otherwise provided for by law:

Conservation Fees to the Town:	\$ 17.95
Marriage License No. 5 through No. 7 @ \$ 7.50 each	\$ 22.50
Marriage Certificate 3 @ \$10.00 each	\$ 30.00
Marriage Transcript @ \$10.00 each	\$
A1255 Total Town Clerk Fees	\$ 70.45
A2530 Games of Chance Town's Share Peddlers Fee	\$
A1289 Registrar	\$ 120.00
Junkyard License	\$
A2544 Local Fee for 16 dogs plus 1 replacement tag	\$ 129.00
A2115 Planning Board Fees/ZBA fees	\$ 161.19
A2555 Building Permits	\$ 950.00
A2655 Minor Sales -Certified copy	\$ 4.00
A2268 Impoundment fees from Creekside Kennel Water Meter Fee Water Benefit Charge	\$ 450.00
Water Permit Fee	\$ 200.00
Water billing	\$ 7,245.38
REVENUE TO SUPERVISOR	\$ 9,330.02
Amount paid to State Comptroller for Games Chance License	
Amount paid to DEC for Conservation Licenses	\$ 307.05
Amount paid to AG. And Markets for fee for unsprayed/unneutered Dog program	44.00
Amount paid to State Health Dept. for Marriage Licenses	\$ 67.50
TOTAL DISBURSED	\$ 418.54
August 2, 2012 Dominic Jacangelo, Supervisor	\$
TOTAL AMOUNT RECEIVED BY CLERK	\$ 9,748.57
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 July being only such Fees the application and payment of which are otherwise provided by law subscribed and sworn to before me this 2 nd day of August, 2012.	
<i>Susan Horton</i>	



**OFFICE OF THE
ASSESSOR**

Town of Poestenkill

38 Davis Drive | P.O. Box 210

Poestenkill, NY 12140

518.283.5100 (Phone)

518.283.7550 (Fax)

TO: POESTENKILL TOWN BOARD

FROM: JEFFRY A. JACKSON, ASSESSOR
ASSESSOR'S REPORT FOR JULY 2012

When the final assessment roll is completed and filed July 1st, the county sends the Assessors Annual Report, which is verified, to the Office of Real Property Tax Services for their records. A copy of this report is also sent to this office. This report reflects all the changes and corrections by the BAR that were made for the year. The county also updates a complete set of tax maps for our office with all the changes up to March 1st.

As deeds continue to be received, they are verified and, if needed, any changes made to the RPS system and letters mailed to respective owners who would qualify for the STAR exemption.

Constituent relations continue to be good during the report period.

Respectfully submitted,

Jeffrey A. Jackson
Assessor
Town of Poestenkill

cc: Town Board
Susan Horton, Town Clerk



TOWN OF POESTENKILL

38 Davis Drive, P.O. 210
Poestenkill, NY 12140

Office of the
Building Inspector/
Code Enforcement Officer/Water Manager

August 10, 2012

TO: DOMINIC JACANGELO - SUPERVISOR

FROM: ROBERT L. BRUNET, P.E. – BUILDING INSPECTOR/
CODE ENFORCEMENT OFFICER/WATER MANAGER *RLB*

RE: WORK ACTIVITIES FOR JULY 2012

New construction as well as repair permits have increased, as is seasonally expected. In this month's report the standard results are reviewed and a detailed summary of our status of connections to the Poestenkill municipal water supply are presented. A brief overview of our water hookup status is as follows: (8/6/2012)

- 1) Permits issued to hookup – 322
- 2) Final testing, water flushing, meter installation and plumbing connection inspections (fully hooked-up residences/businesses/schools to water)–298
- 3) Certificates of Compliance issued – 273
- 4) Physical site inspections for hookup – 546

The overview of our standard items reveals that new building work is increasing, inspections for MS4 issues, and for construction and property maintenance issues are continuing with corrective actions being taken where warranted. Office visits and telephone calls remain high due to resident, contractor, and government agency queries.

The following specific work was accomplished by the Building Inspector / Code Enforcement / Water Manager Office during the month of July 2012.

- I Work Permits: 16
- III Certificate of Occupancy Issued: 0
- IV Certificate of Compliance Issued: 6
- V Assisted:
 - a) Phone Calls – over 300
 - b) Office Meetings - over 40

- VI Site Inspections: 66
- VII Complaints Received: 8
- VIII Fees collected for the month of July: \$ 2,014.80
- IX MS4 Construction / SWPPP Inspections: 12
- X July hours worked:

WEEK	7/1 - 7/7	37.0 hours
WEEK	7/8 - 7/14	45.5 hours
WEEK	7/15 - 7/21	51.5 hours
WEEK	7/22 - 7/28	49.0 hours
<u>WEEK</u>	<u>7/29 - 7/31</u>	<u>23.5 hours</u>
TOTAL	7/1 - 7/31	206.5 hours

Poestenkill Dog Control
July 2012

Wrote tickets for unlicensed dogs
Took Dangerous dog forms to court

7th Lost dog

9th Served dog owner with notice of dangerous dog hearing

11th Report of dead cat on road. Was a raccoon

11th Found dog Owner located

12th Lost dog

12th Stray pigmeyer goat at house. I picked up kept overnight

13th Owner of goat looking for it

12th Lost dog

16th Guinea fowl running loose. No other information

16th Court hearing on dangerous dog

17th Visit to house with reported loose and threatening dog

23rd Info from town clerk on dog license

23rd Lost dog Later found

25th Mailed notice to 17 residents about license and running at large

26th Resident called to thank for sending out notice to neighbors about loose dogs

26th Police call baby bitten by family dog

30th Found dog. Owner located



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

To: Town supervisor- Dominic Jacangelo
Town Board Members Bayly, Bentley, Cropsey, Slavin

From: Highway Superintendent- Toby Chadwick

Date: August 14, 2012

RE: Highway Activities
July 19, 2012-August 14, 2012

1. We finished fixing & replacing all of the Dry Hydrant that were damaged from Irene.
2. Crew put in two Dry Hydrants on Jones Road and North Road
3. Crew has been out patching holes.
4. Crew was out mowing the side of the roads.
5. Crew has been out picking up brush
6. Crew was out putting posted signs around gravel pit.
7. Crew was out cutting dead trees on shoulder of the roads.
8. Crew has been working with the Town of Sand Lake.
9. Crew fixed the catch basin in the Town Hall parking lot.
10. Crew put in 18" culvert for Quail Meadows Road.

At a duly convened meeting of the Town Board of the Town of Poestenkill in the County of Rensselaer conducted at the Poestenkill Town Hall at 7:00 P.M. on August 16, 2012.

RESOLUTION NO. ____ OF 2012

IN THE MATTER OF THE TRANSFER OF CERTAIN WATER CAPITAL BUDGET FUNDS

WHEREAS, the Town accountant has advised that it has become necessary to effect various Water Capital Fund budget transfers in order to properly fund certain Town expenses;

NOW, LET IT THEREFORE BE

RESOLVED, that it is hereby authorized and directed that the budget line items as indicated on the **Rural Development (RD) Project Budget/Cost Certification FORM E** be modified by transferring funds totaling \$22,442.44 as indicated in the following allocations:

From **FORM E** budget line items

A. ADMINISTRATIVE, 2. Bonding	650.21
C. CONSTRUCTION, 2. Direct Expenditures, a. Replacement Parts	21,792.23

To **FORM E** budget line items

A. ADMINISTRATIVE, 1. Legal (Town Attorney)	11,396.09
C. ADMINISTRATIVE, 3. Legal Town Attorney Fringe Benefits	11,046.35

and it is accordingly further

RESOLVED, that the **Rural Development (RD) Project Budget/Cost Certification FORM E** as hereby modified (a copy of which is annexed hereto) is hereby adopted by the Town Board.

MOVED BY: _____

Prepared and approved as to form by:
Patrick J. Tomaselli, Esq., Town Attorney

SECONDED BY: _____

VOTED UPON AS FOLLOWS:

Councilman Bayly:	_____
Councilwoman Bentley:	_____
Councilwoman Cropsey:	_____
Councilman Slavin:	_____
Supervisor Jacangelo:	_____

RURAL DEVELOPMENT (RD) PROJECT BUDGET/COST CERTIFICATION

Project Name: Town of Poestenkill WD #1

Date: 08/01/12

Report No.: 13R

Actual: _____

Estimate: _____

Funding Source(s)	Amount
RD Loan	\$677,000.00
RD Loan	
RD Grant	\$500,000.00
RD Grant	
SUB TOTAL:	\$1,177,000.00

Other Funding Source(s)	Amount	
Other Source: DWSRF ARRA	\$4,088,000.00	Loan
Other Source: DWSRF ARRA	\$4,765,000.00	Princ. Forgiveness
Other Source: NYS Oil Spill	\$220,000.00	
SUBTOTAL:	\$9,073,000.00	
TOTAL:	\$10,250,000.00	

ITEM	APPROVED BUDGET	MODIFIED BUDGET	PREVIOUS EXPENDITURES	EXPENDITURES THIS PERIOD	EXPENDITURES TO DATE	BALANCE REMAINING
A. ADMINISTRATIVE						
1. Legal (Town Attorney)	\$60,000.00	\$141,647.25	\$126,167.25		\$126,167.25	\$15,480.00
2. Bonding	\$40,000.00	\$13,349.79	\$806.41		\$806.41	\$12,543.38
3. Legal Town Attorney Fringe Benefits	\$0.00	\$11,046.35			\$0.00	\$11,046.35
4. Fiscal Coordination	\$0.00	\$0.00			\$0.00	\$0.00
5. Bookkeeping & Reporting (Chet)	\$15,000.00	\$13,451.00	\$13,451.00		\$13,451.00	\$0.00
6. Lands & Rights of Way	\$50,000.00	\$0.00			\$0.00	\$0.00
7. Single Audits	\$0.00	\$0.00			\$0.00	\$0.00
8. Miscellaneous	\$0.00	\$9,479.59	\$9,479.59		\$9,479.59	\$0.00
Total A. Administrative	\$165,000.00	\$188,973.98	\$149,904.25	\$0.00	\$149,904.25	\$39,069.73
B. TECHNICAL SVCS.						
I. Engineering						
a. Preliminary Studies (Clark Eng.)	\$0.00	\$23,079.92	\$23,079.92		\$23,079.92	\$0.00
b. Preliminary Studies	\$64,095.00	\$64,095.00	\$64,095.00		\$64,095.00	\$0.00
c. Basic Services	\$196,500.00	\$171,500.00	\$171,500.00		\$171,500.00	\$0.00
d. Contract Administration	\$33,400.00	\$33,400.00	\$33,400.00		\$33,400.00	\$0.00
e. Resident Inspection	\$107,400.00	\$107,400.00	\$107,400.00		\$107,400.00	\$0.00
f. Record Drawings	\$4,700.00	\$4,700.00	\$4,700.00		\$4,700.00	\$0.00
g. Archaeology	\$141,344.00	\$237,263.00	\$237,263.00		\$237,263.00	\$0.00
h. Easement Assistance	\$0.00	\$27,000.00	\$27,000.00		\$27,000.00	\$0.00
2. Town of Brunswick Engineering	\$0.00	\$20,000.00	\$20,000.00		\$20,000.00	\$0.00
Total B. Technical Svcs.	\$547,439.00	\$688,437.92	\$688,437.92	\$0.00	\$688,437.92	\$0.00
C. CONSTRUCTION						
1. Construction Contracts						
a. Contract 1 - Jerssen	\$8,418,000.00	\$4,023,079.11	\$3,992,230.42		\$3,992,230.42	\$30,848.69
b. Contract 2 - Casale		\$5,349,508.99	\$5,349,508.99		\$5,349,508.99	\$0.00
c. Contract 3					\$0.00	\$0.00
2. Direct Expenditures						
a. Replacement Parts					\$0.00	\$0.00
					\$0.00	\$0.00
c.					\$0.00	\$0.00
Total C. Construction	\$8,418,000.00	\$9,372,588.10	\$9,341,739.41	\$0.00	\$9,341,739.41	\$30,848.69
D. CONTINGENCY						
1. Contingency	\$1,119,561.00					
Total D. Contingency	\$1,119,561.00	\$0.00				\$0.00
TOTAL PROJECT COST	\$10,250,000.00	\$10,250,000.00	\$10,180,081.58	\$0.00	\$10,180,081.58	\$69,918.42

I certify to the best of my knowledge and belief that the billed costs or disbursements are in accordance with the terms of the project and that the reimbursement represents the Federal share due, which has not been previously requested and that an inspection has been performed and all work is in accordance with the terms of the award.

Applicant _____ Title _____

Engineer/ Architect _____

Reviewed By _____

Date Reviewed _____

At a duly convened meeting of the Town Board of the Town of Poestenkill in the County of Rensselaer conducted at the Poestenkill Town Hall at 7:00 P.M. on August 16, 2012.

RESOLUTION NO. _____ OF 2012

**IN THE MATTER OF THE TRANSFER OF CERTAIN
HIGHWAY BUDGET FUNDS**

WHEREAS, the Town accountant has advised that it has become necessary to effect various Highway Fund budget transfers in order to properly fund certain Town expenses;

NOW, LET IT THEREFORE BE

RESOLVED, that it is hereby authorized and directed that the sum of \$26,000.00 be transferred as follows:

From Highway Fund budget line item 251204 (Bridges)

To Highway Fund budget line item 251304 (Machinery)

MOVED BY: _____

Prepared and approved as to form by:
Patrick J. Tomaselli, Esq., Town Attorney

SECONDED BY: _____

VOTED UPON AS FOLLOWS:

Councilman Bayly: _____
Councilwoman Bentley: _____
Councilwoman Cropsey: _____
Councilman Slavin: _____
Supervisor Jacangelo: _____